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The Regional Municipality of Durham

MINUTES

WORKS COMMITTEE

Wednesday, October 4, 2023

A regular meeting of the Works Committee was held on Wednesday, October 4, 2023 in Council Chambers, Regional Headquarters Building, 605 Rossland Road East, Whitby, Ontario at 9:30 AM. Electronic participation was offered for this meeting.

1. Roll Call

Present: Councillor Barton, Chair
Councillor Marimpietri, Vice-Chair
Councillor Crawford
Councillor Mulcahy
Councillor Nicholson
Councillor Yamada
Regional Chair Henry attended the meeting at 9:31 AM
***all members participated in-person**

Also

Present: Councillor McDougall*
Councillor Schummer*
Councillor Woo
***denotes Councillors participating electronically**

Absent: Councillor Cook

Staff

Present: E. Baxter-Trahair*, Chief Administrative Officer
A. Chung, Systems Support Specialist, Corporate Services – IT
S. Ciani, Committee Clerk, Corporate Services – Legislative Services
C. Dunkley, Director of Corporate Infrastructure and Strategic Business Services, Works Department
A. Evans, Director of Waste Management Services
M. Harris, Manager of Environmental Services Design
J. Hunt, Regional Solicitor/Director of Legal Services, Corporate Services – Legal Services
R. Jagannathan, Acting Commissioner of Works
D. Waechter, Acting Director of Transportation and Field Services
V. Walker, Committee Clerk, Corporate Services – Legislative Services
*** denotes staff participating electronically**

2. Declarations of Pecuniary Interest

There were no declarations of pecuniary interest.

3. Adoption of Minutes

Moved by Councillor Marimpietri, Seconded by Councillor Mulcahy,
(76) That the minutes of the regular Works Committee meeting held on
Wednesday, September 6, 2023, be adopted.

CARRIED

4. Statutory Public Meetings

There were no statutory public meetings.

5. Presentations

There were no presentations heard.

6. Delegations

There were no delegations heard.

7. Waste

7.1 Correspondence

There were no communication items considered.

7.2 Reports

A) Update on the Regional Landfill Mining Program Pilot (2023-WR-7)

Report #2023-WR-7 from R. Jagannathan, Acting Commissioner of Works, was received.

Moved by Councillor Nicholson, Seconded by Councillor Marimpietri,
(77) That we recommend to Council:

That Report #2023-WR-7 of the Acting Commissioner of Works be received for information.

CARRIED

8. Works

8.1 Correspondence

- A) Correspondence received from the Municipality of Clarington, dated September 26, 2023, re: Ongoing Durham Region Infrastructure Delays, Newcastle Zone 1 Reservoir and Zone 2 Pumping Station

At the request of the Committee, R. Jagannathan advised that the environment assessment was completed in 2021 but that the design could not be commenced until the land acquisition occurred. He advised that the next steps would be the request for proposal, as pre-qualification has been completed. He further advised that the design phase will occur in 2024-2025; that the construction is anticipated to commence in 2026 and complete in 2027.

In response to a question from the Committee regarding the allocations for water and sewer that is currently available but has not been used by developers, R. Jagannathan advised that Planning staff are working with Works staff and local area municipalities to identify the available allotments and that staff are anticipating bringing a report forward in December this year in this regard.

R. Jagannathan further advised that a report will be brought forward to the Works Committee and Regional Council in the new year that will look at all of the housing pledges.

In response to a question from Councillor Woo regarding the decreased water pressure noted in the Village of Newcastle, and whether the completion of the reservoir pumping station would improve that, R. Jagannathan advised that residents would see an improvement, and that staff would provide Councillor Woo with copies of the 2021-2023 water and sewer presentations directly.

Moved by Councillor Marimpietri, Seconded by Councillor Crawford,
(78) That the correspondence received from the Municipality of Clarington, dated September 26, 2023, regarding the ongoing Durham Region Infrastructure Delays, at the Newcastle Zone 1 Reservoir and Zone 2 Pumping Station be referred to staff for a response.

CARRIED

8.2 Reports

- A) Expropriation of Lands Required for the Whitby Zone 4 Reservoir and Pumping Station Project at 8425 Duffs Road, in the Town of Whitby (2023-W-38)

Report #2023-W-38 from R. Jagannathan, Acting Commissioner of Works, was received.

Moved by Regional Chair Henry, Seconded by Councillor Yamada,
(79) That we recommend to Council:

- A) That authority be granted to Regional Municipality of Durham (Region) staff to initiate expropriation proceedings where necessary for the property

requirements at 8425 Duffs Road, located at the southeast corner of Duffs Road and Myrtle Road West (Regional Road 5), in the Town of Whitby, as depicted in Attachment #1 to Report #2023-W-38 of the Acting Commissioner of Works and such other property requirements as may be determined and identified by Regional staff for the Whitby Zone 4 Reservoir and Pumping Station Project;

- B) That authority be granted to the Regional Clerk and Regional Chair to execute any notices and forms as may be statutorily mandated by the *Expropriations Act*, R.S.O. 1990, c. E.26 to give effect to Recommendation C) of Report #2023-W-38, including the Notices of Application of Approval to Expropriate;
- C) That authority be granted to Regional staff to serve and publish Notices of Application for Approval to Expropriate the property requirements as described in Recommendation A) of Report #2023-W-38 and to forward to the Ontario Land Tribunal any requests for hearing received, to attend the hearings to present the Region's position, and to present the Ontario Land Tribunal's recommendations to Regional Council for consideration; and
- D) That all agreements successfully negotiated and reports required for amicable property acquisitions and all agreements and reports required for settlements pursuant to the *Expropriations Act*, R.S.O. 1990, c. E.26 related to the Whitby Zone 4 Reservoir and Pumping Station Project approved in accordance with the Delegation of Authority By-law 04-2023 or by Regional Council, be deemed confidential for any reporting requirements to Regional Council pursuant to section 239 (2)(c) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as it relates to a proposed or pending acquisition or disposition of land for Regional corporate purposes, and only be released publicly by the Commissioner of Works once all claims for compensation have been resolved on a full and final basis.

CARRIED

- B) Approval of Unbudgeted Project Financing for the Harwood Avenue Water Pumping Station in the Town of Ajax and Sole Source Procurement of Pre-Purchase Equipment (2023-W-39)
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Report #2023-W-39 from R. Jagannathan, Acting Commissioner of Works, was received.

Staff responded to questions from the Committee regarding the rationale for the unbudgeted project financing for the Harwood Avenue Water Pumping Station in the Town of Ajax, and the rationale for the sole source procurement for the pre-purchasing of the equipment.

Discussion ensued regarding concerns with respect to the financing for the pre-purchase of the equipment for the Harwood Avenue Water Pumping Station being

funded at the discretion of the Commissioner of Finance, that where it is possible to identify the source of the funding, it should be presented in the report; and whether a memorandum could be provided to Council if the funding for the Harwood Avenue Water Pumping Station has been identified before the Regional Council meeting.

Further discussion ensued regarding whether the Committee could tour water and waste facilities throughout the Region of Durham, to better understand the specialized equipment that is being used, and why sole sourcing is at times the only appropriate procurement option.

Moved by Councillor Crawford, Seconded by Councillor Marimpietri,
(80) That we recommend to Council:

- A) That unbudgeted capital financing in the amount of \$350,000* for the pre-purchase of equipment for the Harwood Avenue Water Pumping Station in the Town of Ajax be approved;
- B) That financing for the unbudgeted capital for the pre-purchase of equipment for the Harwood Avenue Water Pumping Station in the Town of Ajax be provided at the discretion of the Commissioner of Finance;
- C) That staff be authorized to negotiate and award a sole source agreement for the supply of Gould pump model 3410 L for Pump #2 from an authorized distributor for the selected Gould Pump make/model in the amount not greater than \$200,000*; and
- D) That the Commissioner of Finance be authorized to execute the necessary documents for the sole source agreement.
(*) before applicable taxes

CARRIED

9. **Advisory Committee Resolutions**

There were no advisory committee resolutions to be considered.

10. **Confidential Matters**

There were no confidential matters to be considered.

11. **Other Business**

11.1 Remedial Work Update on 1635 Dundas Street, in the Town of Whitby

In response to a question from the Committee regarding the remedial work being completed to the first floor of 1635 Dundas Street, in the Town of Whitby, E. Baxter-Trahair advised that staff could provide a memorandum with respect to the

breakdown of the costs associated with Phase 1 of the project at the November Works Committee meeting.

11.2 Ritson Road School Update

Discussion ensued regarding an update on the Ritson Road School project; the progress that has been made; and whether demolition of the school is now an option.

E. Baxter-Trahair advised that staff are in the midst of the community engagement phase and that staff will be reporting back in the new year with the findings that would include what the residents want to see happen with the school and the site as a whole. She advised that the Region has made commitments to preserve the heritage designated portions of the building.

11.3 Water and Sewer Tax Rate

In response to a question from Councillor Nicholson regarding what the proposed rate increase on the water and sewer will be, R. Jagannathan advised that staff are currently working with Finance on the 2024 water and sewer budget.

12. Date of Next Meeting

The next regularly scheduled Works Committee meeting will be held on Wednesday, November 8, 2023 at 9:30 AM in Council Chambers, Regional Headquarters Building, 605 Rossland Road East, Whitby.

13. Adjournment

Moved by Councillor Nicholson, Seconded by Councillor Marimpietri,
(81) That the meeting be adjourned.

CARRIED

The meeting adjourned at 10:30 AM

Respectfully submitted,

D. Barton, Chair

S. Ciani, Committee Clerk